



State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES

6 Hazen Drive, P.O. Box 95, Concord, NH 03302-0095
(603) 271-2457 FAX (603) 271-7894



Jan Filip
Storybook Resort Inn
PO Box 127
Glen, New Hampshire 03838

LETTER OF DEFICIENCY
WMB PBF 02-39
August 8, 2002

Dear Mr. Filip:

The Department of Environmental Services, Water Division ("DES") is required by RSA 485-A:26 to operate a program to ensure the health and safety of the public when using public bathing facilities such as pools and spas. To implement this program, DES has adopted administrative rules Env-Ws 1101-1105 to specify the design, operation, and maintenance requirements for public bathing facilities. DES reviews applications for new public bathing facilities and also inspects and tests the water in existing public bathing facilities to ensure that applicable requirements are being met.

On July 15, 2002, DES inspected the following public bathing facilities at the Storybook Resort Inn, in Bartlett, NH:

- a. The indoor spa ("Indoor Spa");
- b. The outdoor spa ("Outdoor Spa")
- c. The outdoor swimming pool ("Outdoor Pool")
- d. The outdoor wading pool ("Wader")

During this inspection, the following deficiencies were noted:

- 1 A recommendation to close and super chlorinate the Outdoor Pool was issued on July 15, 2002. The inspection on July 15, 2002 revealed that the Outdoor Pool was in violation of Env-Ws 1103.14 and unsafe for public use. The following bacterial violations were observed in the Outdoor Pool water:
 - (a) Pursuant to Env-Ws 1103.14(a)(1) the maximum allowable concentration of total coliform bacteria and *Escherichia coli* in public bathing facility water is zero counts per one hundred milliliters (0CTS/100mL). The Outdoor Pool water contained 8 CTS/100mL of total coliform bacteria with *E. coli* bacteria present.
 - (b) The maximum allowable concentration of non-coliform bacteria in public bathing facility water is two hundred counts per one hundred milliliters (200 CTS/100mL). The Outdoor Pool water contained greater than 200 CTS/100mL, with confluent growth.
- 2 A recommendation to close and super chlorinate the Wader was issued on July 16, 2002. The inspection on July 15, 2002 revealed that the Wader was in violation of Env-Ws 1103.14 and unsafe for public use. The following bacterial violation was observed in the Wader water:
 - (a) The maximum allowable concentration of non-coliform bacteria in public bathing facility water is two hundred counts per one hundred milliliters (200 CTS/100mL). The Wader water contained greater than 200 CTS/100mL.
- 3 A recommendation to close, drain and disinfect the Indoor Spa was issued on July 16, 2002. The inspection on July 15, 2002 revealed that the Indoor Spa was in violation of Env-Ws 1103.14 and unsafe for public use. The following bacterial violations were observed in the Indoor Spa water:
 - (a) Pursuant to Env-Ws 1103.14(a)(2) the maximum allowable Heterotrophic Plate Count (HPC) in public bathing facility water is five hundred colony-forming units per one milliliter (500 cfu/mL). The Indoor Spa water contained 31,100 cfu/mL.

- (b) The maximum allowable concentration of non-coliform bacteria in public bathing facility water is two hundred counts per one hundred milliliters (200 CTS/100mL). The Indoor Spa water contained greater than 200 CTS/100mL, with confluent growth.
4. A recommendation to close, drain and disinfect the Outdoor Spa was issued on July 16, 2002. The inspection on July 15, 2002 revealed that the Outdoor Spa was in violation of Env-Ws 1103.14 and unsafe for public use. The following bacterial violations were observed in the Outdoor Spa water:
 - (a) Pursuant to Env-Ws 1103.14(a)(2) the maximum allowable Heterotrophic Plate Count (HPC) in public bathing facility water is five hundred colony-forming units per one milliliter (500 cfu/mL). The Outdoor Spa water contained greater than 50,000 cfu/mL.
 - (b) The maximum allowable concentration of non-coliform bacteria in public bathing facility water is two hundred counts per one hundred milliliters (200 CTS/100mL). The Outdoor Spa water contained greater than 200 CTS/100mL, with confluent growth.
 5. Env-Ws 1103.15(c) requires a free residual chlorine concentration between 1.0 mg/L and 3.0 mg/L in public pool water. The free chlorine residual of the Outdoor Pool water was less than 0.1 mg/L on July 15, 2002.
 6. Env-Ws 1103.15(c) requires a free residual chlorine concentration between 1.0 mg/L and 3.0 mg/L in public pool water. The free chlorine residual of the Wader water was 0.2 mg/L on July 15, 2002.
 7. Env-Ws 1103.16(e) requires a free residual chlorine concentration between 2.0 mg/L and 5.0 mg/L in public spa water, with an absolute maximum of 10 mg/L chlorine. The chlorine concentration of the Outdoor Spa water was 0.25 mg/L on July 15, 2002.
 8. Env-Ws 1103.16(e) requires a bromine concentration between 2.0 mg/L and 5.0 mg/L in public spa water, with an absolute maximum of 10 mg/L bromine. The bromine concentration of the Spa water was less than 0.1 mg/L on July 15, 2002.
 9. Env-Ws 1103.15(d) requires a pH between 7.0 and 7.8 in public pool water. The pH of the Wader water was 8.0 on July 15, 2002.
 10. Env-Ws 1103.16(f) requires a pH between 7.0 and 7.8 in public spa water. The pH of the Indoor Spa water was 6.6 on July 15, 2002. The pH of the Outdoor Spa water was 7.9 on July 15, 2002.
- Env-Ws 1104.01 requires the operator to test public bathing facility water for disinfectant residual, pH, and temperature prior to use of a public bathing facility and every 4 hours during operation, to record test results on a dated daily log sheet, and to maintain operational records for the previous twelve months and make these records available to DES and patrons of the public bathing facility upon request. Water quality is only tested and recorded twice a day.
12. Pursuant to Env-Ws 1104.03(b), the operator shall be responsible for posting conspicuously displayed signs informing patrons of the DES rules relative to patron responsibilities (enclosed copy) and any other safety rules developed by the bathing facility management. Complete patron rules were not posted at the Outdoor Pool at the time of the inspection.
 13. Pursuant to Env-Ws 1104.03(d)(7), a clock shall be visible from all public spas. A clock was not visible from the Outdoor Spa at the time of the inspection.

14. Pursuant to Env-Ws 1104.03(c), signs shall provide the location of the nearest telephone. The location of the nearest telephone was not posted at the Outdoor Pool at the time of the inspection.
5. Pursuant to Env-Ws 1105.01(k)(8), suction outlets shall be provided with a cover that has been tested and approved by a nationally recognized testing laboratory. Flat grates under 10" diameter do not meet the requirements of ANSI/NSF Standard 50 or ASME/ANSI A112.19.8M ("Suction Fittings for use in Swimming Pools, Wading Pool, Spas, Hot Tubs, and Whirlpool Bath Applications"). The Outdoor Pool has a flat grate under 10" diameter.
16. Swimming pool hydraulic design and filter systems shall comply with Env-Ws 1105.01(k). The circulation and filtration system for the Outdoor Pool does not comply with Env-Ws 1105.01(k) (2)-(8), (10), (13), (17), or (19-d).

A report outlining how compliance will be achieved with the cited deficiencies should be submitted to DES within 30 calendar days from receipt of this letter. The report should include the following:

- A copy of two weeks of water quality test results for all facilities (please do not send originals).
- 2 The type, manufacture, and model of the main drain cover to be installed.
- 3 A timetable of when:
 - a. the safety items will be in place,
 - b. patron rules will be posted, and
 - c. Outdoor Pool circulation system will be upgraded.

DES personnel will conduct another inspection at a later date to determine whether you have come into, and are maintaining, full compliance with RSA 485-A:26 and Env-Ws 1101-1105. After a violation of Env-Ws 1103.14, the facility will be required to pass two inspection in the following months. In the event that compliance is not achieved, DES may take further action, including seeking an administrative fine up to \$2,000 for each offense or referring the case to the NH Attorney General's Office for judicial action.

We appreciate your cooperation in this matter. Please contact Amy Wilson at (603) 271-7108 if you have any questions regarding this letter. Copies of Env-Ws 1101-1105 are available through the DES Public Information Center at (603) 271-2975 or via the Internet at <http://www.des.state.nh.us/pools/env1100.pdf>.

Sincerely,


Jody Connor
Limnology Center Director

Enclosure

cc: Mark Harbaugh, Enforcement Attorney, DES ✓
Russell A. Nylander, P.E., Chief Engineer, WD/DES
Amy Wilson, Public Bathing Facility Coordinator, DES
Gene Chandler, Health Officer, Town of Bartlett

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